

EXPRESS MAIL NO. EL615212895US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Kurt C. Gish, *et al.*

Application Serial No. 09/747,371

Filed: December 21, 2000

For: **NOVEL METHODS OF DIAGNOSING
BREAST CANCER, COMPOSITIONS,
AND METHODS OF SCREENING FOR
BREAST CANCER MODULATORS**

Art Unit: 1634

Examiner: Johannsen, Diana B.

Confirmation No.: 8631

Attorney's Docket No:
05882.00128.NPUS00

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby request(s) that a corrected Official Filing Receipt be issued and sent to the undersigned representative. Specifically, the following corrections to the Official Filing Receipt are requested:

Domestic Priority data as claimed by applicant

**THIS APPLICATION IS A CIP OF 09/525,361 03/15/00
WHICH IS A CIP OF 09/453,137 12/02/99**

and

Title

Novel methods for detection and diagnosing of breast cancer

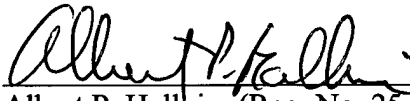
In support of the above request, a photocopy of the instant Official Filing Receipt is enclosed with the corrections noted in red. It is therefore believed proper that a corrected Official Filing Receipt be issued, reflecting the correction of all the above-

noted error(s). It is further requested that the corrected Official Filing Receipt be sent to the undersigned at the earliest possible time.

It is submitted that this submission is necessitated as a result of an error by the U.S. Patent and Trademark Office. Therefore, it is believed that no fees are due in connection with this submission. However, the U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 08-3038, referencing docket number 05882.0128.NPUS00.

Respectfully submitted,

Date: August 14, 2003


Albert P. Halluin, (Reg. No. 25,227)
Robin C. Chiang (Reg. No. 46,619)

HOWREY SIMON ARNOLD & WHITE, LLP
301 Ravenswood Avenue
Box 34
Menlo Park, CA 94025
(650) 463-8109

COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/747,371	12/21/2000	1641	1079	A- 69028/DJB/JJD	5	31	17

CONFIRMATION NO. 8631

UPDATED FILING RECEIPT



OC00000006272197

David J. Brezner, Esq.
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400
Four Embarcadero Center
San Francisco, CA 94111-4187

Date Mailed: 07/09/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kurt C. Gish, San Francisco, CA;
David Mack, Menlo Park, CA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/525,361
03/15/00

Foreign Applications

PCT/US00/06952 03/15/2000

WHICH IS A CIP OF 09/453,137 12/02/99

If Required, Foreign Filing License Granted 03/06/2001

Projected Publication Date: 10/18/2001

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

for detection and of
Novel methods of diagnosing breast cancer, compositions, and methods of screening for breast cancer modulators

Preliminary Class

436

Data entry by : STEPHANOS, FEKERTE

Team : OIPE

Date: 07/09/2001





LICENSE FOR FOREIGN FILING UNDER
Titl 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
 Office of Initial Patent Examination
 Customer Service Center
 Washington, DC 20231